

United States District Court

for the

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Eastern District of Washington

MAR 21 2017

Petition for Warrant or Summons for Offender Under Supervision

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Stephen B. Kirk

Case Number: 0980 2:96CR02021-WFN-1

Address of Offender: [REDACTED] Spokane, Washington 99126

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: January 17, 1997

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922 (g)(1)

Original Sentence: Prison: 210 months; Type of Supervision: Supervised Release
TSR - 60 monthsRevocation Sentence: Prison: 36 months;
(11/14/2013) TSR - 24 months

Asst. U.S. Attorney: Alison L. Gregoire Date Supervision Commenced: May 26, 2016

Defense Attorney: Roger Peven Date Supervision Expires: May 25, 2018

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** On March 21, 2017, the undersigned was notified by Mr. Kirk's significant other that he had assaulted her. Additionally, contact was made with Spokane police who reported they were attempting to locate Mr. Kirk at the time of this report in reference to him committing the offense of fourth degree assault, domestic violence.2 **Standard Condition # 9:** The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.**Supporting Evidence:** On March 15, 2017, the undersigned officer contacted Mr. Kirk at his residence. Also present was a male subject, who initially refused to provide his identification. A criminal records check of the individual revealed that he is a convicted

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felon, and currently has an outstanding warrant for his arrest out of Lewiston, Idaho, for marijuana possession.

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Special Condition # 16: You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On March 13, 2017, Stephen Kirk submitted a urine specimen that yielded initial positive findings for methamphetamine, which was later confirmed positive for methamphetamine from Alere Toxicology Services.

On March 20, 2017, Mr. Kirk again submitted a urine specimen that yielded initial positive findings for methamphetamine. The specimen has been forwarded to Alere Toxicology Services for additional testing.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/21/2017

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other


Richard Law

Signature of Judicial Officer

3/21/17
Date